

### **R E M A R K S**

Reconsideration of this application, as amended, is respectfully requested.

### **THE SPECIFICATION**

The specification has been amended to correct a minor informality of which the undersigned has become aware. No new matter has been added, and it is respectfully requested that the amendments to the specification be approved and entered.

### **THE DRAWINGS**

Fig. 21A has been amended to correctly show reference numeral 21b in accordance with the disclosure in the specification at page 37, lines 3-6. Submitted herewith are a corrected sheet of formal drawing which incorporates the amendment and an annotated sheet showing the changes made thereto. No new matter has been added, and it is respectfully requested that the amendment to the drawings be approved and entered.

### **THE CLAIMS**

\_\_\_\_Independent claim 47 has been amended to clarify the features of the present invention whereby the recording section includes a removable recording medium and is configured to

temporarily record the image picked up by the imaging element, and whereby the control section has two imaging modes as well as three operation modes. Namely, claim 47 has been amended to recite that the control section has a moving image imaging mode which continuously repeats temporary recording by the recording section and display by the display section, and a still image imaging mode which records an image within the recording range among images temporarily recorded by the recording section. And claim 47 has been amended to clarify that the control section controls the recording and reproducing operations in an operation mode selected from: a first operation mode in which the recording range of the image in the still image imaging mode is fixed, and a display range and the display magnification of the image in the moving image mode are variable, a second operation mode in which the recording range of the image in the still image imaging mode is variable, and the display range and the display magnification of the image in the moving image mode are fixed, and a third operation mode in which the recording range of the image in the still image imaging mode is variable and the display range and the display magnification of the image in the moving image mode are variable. No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

#### THE PRIOR ART REJECTION

Claims 47 and 48 were rejected under 35 USC 102 as being anticipated by USP 5,276,550 ("Kojima"), and claims 47 and 48 were rejected under 35 USC 103 as being obvious in view of USP 6,326,392 ("Bacus et al"). These rejections, however, are respectfully traversed with respect to the claims as amended hereinabove.

Kojima discloses a microscope with variable magnification in which the observation magnification can be changed without moving the stage. When the desired observation area is specified by a mouse, a revolver is rotated to select a suitable magnification of the objective lens. The amount of movement of the stage is calculated so that the center of the desired observation area is at the center of the image, and the position of the revolver hole is detected to calculate the concentric deviation due to the magnification of the objective lens. The stage is moved according to the result of this calculation. A zoom mechanism is provided in the camera, and the zoom ratio is controlled so as to correspond to the observation range specified by the mouse. That is, in the microscope of Kojima, magnification of a recorded image is varied by changing the objective lens, and the display magnification is merely changed by the magnification of the objective lens and the zoom magnification.

It is respectfully submitted, however, that Kojima does not at all mention recording an image (still image) and selectively controlling a recording range and the display magnification of the image as according to the claimed present invention. More specifically, it is respectfully submitted that Kojima does not at all disclose, teach or suggest a control section having a moving image imaging mode which continuously repeats temporary recording by the recording section and display by the display section, and a still image imaging mode which records an image within the recording range among images temporarily recorded by the recording section, as according to the present invention as recited in amended independent claim 47.

Bacus et al discloses a virtual slide system which acquires a magnified image of a specimen to be observed using a microscope controlled by a computer, wherein the acquired image is reconstructed and displayed in a remote PC connected via the Internet. In Bacus et al, the microscope includes a camera sensor 126, a camera controller 124, a video monitor 22, and a hard disk 62 (removable disk 64, floppy disk controller 74). As shown in Fig. 5 of Bacus et al, a subsystem controls imaging, recording, displaying, and distributing of the image. It is respectfully submitted, however, that Bacus et al does not disclose any details with respect to controlling imaging and recording of a microscope observation image. And specifically,

it is respectfully submitted that Bacus et al does not at all disclose, teach or suggest a control section having a moving image imaging mode which continuously repeats temporary recording by the recording section and display by the display section, and a still image imaging mode which records an image within the recording range among images temporarily recorded by the recording section, as according to the present invention as recited in amended independent claim 47.

In view of the foregoing, it is respectfully submitted that the present invention as recited in amended independent claim 47 and claim 48 depending therefrom clearly patentably distinguishes over Kojima and Bacus et al, taken singly or in combination, under 35 USC 102 as well as under 35 USC 103.

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If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

/Douglas Holtz/

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